



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

July 9, 2013

OFFICE OF
ENVIRONMENTAL INFORMATION

Ms. Erin Moore
Missouri Coalition for the Environment
6267 Delmar Blvd., Suite 2E
St. Louis, MO 63130

RE: Request Number EPA-R7-2013-007858

Dear Ms. Moore:

This is in response to your fee waiver request in connection with your Freedom of Information Act (FOIA) request to the U.S. Environmental Protection Agency (EPA) Region 7 seeking a copy of records regarding communications between the EPA and the National Remedy Review Board concerning the West Lake Landfill in Bridgeton, Missouri from January 1, 2012 to the present.

The FOIA directs agencies to furnish records without any charge or at a reduced charge if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. 5 U.S.C. 552(a)(4)(A)(iii)(1994 & Supp. IV 1998).

Requests for fee waivers must be considered **on a case-by-case basis** and address the requirements for a fee waiver in sufficient detail for the agencies to make an informed decision. In determining whether the statutory requirements are met, agencies must consider six factors in sequence. These factors are summarized below.

1. The subject matter of the requested records must specifically concern identifiable operations or activities of the government. A request for access to records for their informational content alone does not satisfy this factor.

3. The disclosure must contribute to the understanding of the public at large, as opposed to the understanding of the requester or a narrow segment of interested persons. One's status as a representative of the news media alone is not enough.
4. The disclosure must contribute "significantly" to public understanding of government operations or activities.
5. The extent to which disclosure will serve the requester's commercial interest, if any.
6. The extent to which the identified public interest in the disclosure outweighs the requester's commercial interest.

Should you wish to receive a fee waiver, you must address, in sufficient detail, these six factors. You may send your response by email to FOIA_HQ@epa.gov. If we do not hear from you within seven days from the date of this letter, we will deny your request for a waiver of fees based on insufficient justification.

If you have any questions, please contact the Requester Service Center at FOIA_HQ@epa.gov or call 202-566-1667.

Sincerely,

V. Warden for LFH

Larry F. Gottesman
National FOIA Officer